PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Certa et al

Group: 1645

Serial No. 09/994,412, filed November 27, 2001

Examiner:

For: INHIBITION OF EXPRESSION OF A TARGET GENE

STATEMENT UNDER 37 CFR §1.97(e)

Nutley, New Jersey 07110 September 26, 2003

Mail Stop: NON-FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 RECEIVED

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Sir:

TECH CENTER 1600/2900

I hereby certify:

X That each item of information contained in the enclosed information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this information disclosure statement.

That <u>no</u> item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Respectfully submitted,

Agent for Applicant(s) Lyman H. Smith (Reg. No. 44342)

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Document B4 listed on Form PTO-1449 is enclosed.

Enclosed is a Search Report, dated August 1, 2003, which was issued by the German Patent Office in the 10158523.3 German application corresponding to the captioned application. The Search Report lists Document B4.

Consideration of all the documents cited on Form PTO-1449 is requested.

Serial No. 09/994,412 Filed: Nov. 27, 2001

Since the Information Disclosure Statement is submitted before the mailing of the first Office Action on the merits or within three months of the filing date for the above application and/or because each item of information contained in the Information Disclosure Statement was cited in a communication for the first time from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement, no fee is due. However, If any fees are deemed necessary, authorization is given to charge the amount of any such fee to Deposit Account No. 08-2525.

Respectfully submitted,

Agent for Applicant(s)

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Unique citation designation number: See attached Kinds of U.S. Patent Documents:

Liuique citation designation number: See attached Kinds of U.S. Patent Documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible Applicant is to place a check mark here if English language Translation or abstract is attached.

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PTO/SB/21 (01-03) Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/994.412 TRANSMITTAL Filing Date November 27, 2001 **FORM** First Named Inventor Certa et al Art Unit 1645 (to be used for all correspondence after initial filing) **Examiner Name** Attorney Docket Number 20787 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to Group Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement OCT 0 7 2003 Remarks Certified Copy of Priority Document(s) Cited art Response to Missing Parts/ Incomplete Application TECH CENTER 1600 2900 Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Lyman H. Smith

Date	September 26, 2003		
	CERTIFICATE OF TRANSMISSIO	N/MAILING	
I hereby certify that mail in an envelope	this correspondence is being transmitted to the USPTO or deposited with the addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22	United States Postal Service with 313 on this date September 26	sufficient postage as first class , 2003
Typed or printe	d Lyman H. Smith		
Signature	A. J.	Date	Sept. 26, 2003

Individual Signature Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.